

Foster Care Independence Act of 1999

November 23, 1999

In a flurry of activity prior to adjournment, Congress approved legislation to provide additional supports to young people aging out of foster care. The Foster Care Independence Act, now recorded as H.R. 3443 was approved by the House on November 18, and then by the Senate just minutes before the Senate adjourned for the year on November 19. The final version of the Foster Care Independence Act includes language from the bill (H.R. 1802) passed by the House in June. The revised bill also has new provisions reflecting input from the Senate. The provisions of the new Foster Care Independence Act will go into effect when the President signs the bill into law.

The Foster Care Independence Act:

Changes the name of the Independent Living Program.

- As a testimonial to the late Senator Chafee (R-RI), the Senate sponsor of the legislation, the program is now entitled the John H. Chafee Foster Care Independence Program.

Increases funds to states to assist youths to make the transition from foster care to independent living.

- Federal funding for the Independent Living Program is doubled - from \$70 million to \$140 million a year.
- Funds can be used to help youths make the transition from foster care to self-sufficiency by offering them the education, vocational and employment training necessary to obtain employment and/or prepare for post secondary education, training in daily living skills, substance abuse prevention, pregnancy prevention and preventive health activities, and connections to dedicated adults.
- States must contribute a 20 percent state match for Independent Living Program funds.
- States must use federal training funds (authorized by Title IV-E of the Social Security Act) to help foster parents, adoptive parents, group home workers, and case managers to address issues confronting adolescents preparing for independent living.

Recognizes the need for special help for youths ages 18 to 21 who have left foster care.

- States must use some portion of their funds for assistance and services for older youths who have left foster care but have not reached age 21.
- States can use up to 30 percent of their Independent Living Program funds for room and board for youths ages 18 to 21 who have left foster care.

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- States may extend Medicaid to 18, 19 and 20-year-olds who have been emancipated from foster care. Access to the new independent living funds is not contingent upon states exercising that option.

Offers states greater flexibility in designing their independent living programs.

- States can serve children of various ages who need help preparing for self-sufficiency (not just those ages 16 and over as in previous law), children at various stages of achieving independence, and children in different parts of the state differently; they also can use a variety of providers to deliver independent living services.
- The asset limit for the federal foster care program is changed to allow youths to have \$10,000 in savings (rather than the current \$1,000 limit) and still be eligible for foster care payments.

Establishes accountability for states in implementing the independent living programs.

- The Secretary of Health and Human Services (HHS) must, in consultation with federal, state, and local officials, advocates, youth service providers, and researchers, develop outcome measures to assess state performance. Outcomes include educational attainment, employment, avoidance of dependency, homelessness, non-marital childbirth, high-risk behaviors, and incarceration.
- HHS must also collect data necessary to track how many children are receiving services, services received and provided, and implement a plan for collecting needed information. HHS must also report to Congress and propose state accountability procedures and penalties for non-compliance.
- States must coordinate the independent living funds with other funding sources for similar services.
- States are subject to penalty if they misuse funds or fail to submit required data on state performance.
- \$2.1 million is set aside for a national evaluation and for technical assistance to states in assisting youths transitioning from foster care.

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